

Attorney Docket No. 6296.204-US
Serial No. 09/853,193; Filed: May 11, 2001
Via Facsimile No.: 571-273-8300

REMARKS/ARGUMENTS

Claims 32-36, 40-44, 62-71 and 86 are pending following entry of the present Amendment. The amendments to the claims 1 were made to rewrite objected to claims 29, 32 and 35 in independent form as new claim 86 and amended claims 32 and 35 respectively where these claims include all the limitations of the base claim (now cancelled claim 1) and any intervening claims.

REJECTION OF THE CLAIMS UNDER 35 U.S.C.112 SECOND PARAGRAPH

Claims 4, 7-14, 47-61 and 72-85 are rejected as allegedly indefinite under section 112, second paragraph.

In reply, Applicant respectfully submits that this rejection is rendered moot by the cancellation of these claims in the present Amendment. Applicants reserves the right to pursue the subject matter of these cancelled claims in a continuation application

REJECTION OF THE CLAIMS UNDER 35 U.S.C. 102

A. Claims 1, 22-28, 37-39, 45, 46, 72 and 73 are rejected as anticipated by Malmberg et al. [J. Am. Coll. Cardio. (1995) 26:57-65].

In reply, Applicant respectfully submits that this rejection is rendered moot by the cancellation of these claims in the present Amendment. Applicants reserves the right to pursue the subject matter of these cancelled claims in a continuation application.

B. Claims 4, 7, 12-14, 52-54, 60-61 and 84-85 are rejected as anticipated by Shangraw et al. [Metabolism (1989) 38: 983-989] as evidenced by Van Den Berghe US published application 2002/0107178.

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In reply, Applicant respectfully submits that this rejection is rendered moot by the cancellation of these claims in the present Amendment. Applicants reserves the right to pursue the subject matter of these cancelled claims in a continuation application

In view of the above amendments and remarks, Applicant respectfully submit that the present application is in condition for allowance.

The Examiner is hereby invited to contact the undersigned by telephone if there are any questions concerning this amendment or application.

Please charge any deficiencies or overpayment to Deposit Account No.

14-1447.

Respectfully submitted,

Date: February 21, 2006

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Use the following customer number for all correspondence regarding this application

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